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Oracle International Corporation*

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

RIMINI STREET, INC., a Nevada corporation;  
Plaintiff,  
  
v.  
ORACLE INTERNATIONAL CORPORATION,  
a California corporation, and ORACLE  
AMERICA, INC., a Delaware  
corporation  
  
Defendants.

ORACLE AMERICA, INC., a Delaware  
corporation; and ORACLE  
INTERNATIONAL CORPORATION, a  
California corporation,  
  
Counterclaimants,  
  
v.  
RIMINI STREET, INC., a Nevada corporation, *et  
al.*,  
  
Counterdefendants.

Case No 2:14-cv-01699 LRH CWH

**ORACLE'S MOTION FOR LEAVE  
TO FILE UNDER SEAL PORTIONS  
OF THE APPENDICES TO THE  
PARTIES' JOINT LETTER TO THE  
COURT RE: ORACLE'S PROPOSED  
MOTION TO COMPEL**

1 Pursuant to the Stipulated Protective Order governing confidentiality of documents  
2 entered by the Court on May 18, 2015, ECF No. 58 (“Protective Order”), Local Rules 10-5(b),  
3 and Rules 5.2 and 26(c) of the Federal Rules of Civil Procedure, Defendants and  
4 Counterclaimants Oracle International Corporation and Oracle America Inc. (together “Oracle”)  
5 respectfully requests that the Court grant leave to file under seal portions of the Appendices to  
6 the Parties’ Joint Letter to the Court re: Oracle’s Proposed Motion to Compel (ECF No. 492).  
7 Redacted versions of these documents were filed on May 11, 2017. *See* ECF Nos. 492-1, 492-2.  
8 Unredacted versions of these documents will be subsequently filed under seal with the Court and  
9 linked to the filing of this Motion. *See* ECF No. 221 (Order re: sealing procedures).

10 Oracle requests that the Court seal the redacted portions of the Appendices because they  
11 contain materials that have been designated as “Highly Confidential Information – Attorneys’  
12 Eyes Only” by the Parties under the terms of the Protective Order. The Protective Order states,  
13 “Counsel for any Designating Party may designate any Discovery Material as ‘Confidential  
14 Information’ or ‘Highly Confidential Information – Attorneys’ Eyes Only’ under the terms of  
15 this Protective Order **only if such counsel in good faith believes that such Discovery Material**  
16 **contains such information and is subject to protection under Federal Rule of Civil**  
17 **Procedure 26(c).** The designation by any Designating Party of any Discovery Material as  
18 ‘Confidential Information’ or ‘Highly Confidential Information – Attorneys’ Eyes Only’ shall  
19 constitute a representation that an attorney for the Designating Party reasonably believes there is  
20 a valid basis for such designation.” Protective Order ¶ 2 (emphasis supplied).

21 Oracle submits Appendix A under seal pursuant to the Protective Order based on  
22 Rimini’s representation that it reasonably believes there is a valid basis under the Protective  
23 Order for its confidentiality designations. Because the material was designated by Rimini,  
24 Oracle is not in a position to provide further justification for why filing this document publicly  
25 would cause Rimini harm sufficient to show good cause. Oracle does not independently contend  
26 that the document, or the material it contains, are subject to such protection, but makes this  
27 request pursuant to ¶ 14 of the Protective Order.  
28

1 Oracle submits Appendix B under seal pursuant to its own request. Appendix B contains  
2 confidential correspondence between Oracle and the United States Copyright Office that has  
3 been produced to Rimini in the course of this litigation. Oracle believes there is a valid basis  
4 under the Protective Order for its confidentiality designations, as the correspondence submitted  
5 under seal contains non-public and commercially sensitive information concerning Oracle's  
6 copyright registrations and software licenses and its interactions with the Copyright Office.

7 Oracle respectfully requests that the Court grant leave to file under seal portions of the  
8 documents discussed above.

9  
10 DATED: May 11, 2017

MORGAN, LEWIS & BOCKIUS LLP

11  
12 By: /s/ Thomas S. Hixson  
13 Thomas S. Hixson

14 Attorneys for Defendants and Counterclaimants  
15 Oracle International Corporation and Oracle  
16 America, Inc.  
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1 UNITED STATES DISTRICT COURT

2 DISTRICT OF NEVADA

3 RIMINI STREET, INC., a Nevada corporation;  
4 Plaintiff,

5 v.

6 ORACLE INTERNATIONAL CORPORATION,  
7 a California corporation, and ORACLE  
8 AMERICA, INC., a Delaware  
9 corporation

10 Defendants.

11 ORACLE AMERICA, INC., a Delaware  
12 corporation; and ORACLE  
13 INTERNATIONAL CORPORATION, a  
14 California corporation,

15 Counterclaimants,

16 v.

17 RIMINI STREET, INC., a Nevada corporation, *et*  
18 *al.*,

19 Counterdefendants.

Case No 2:14-cv-01699 LRH CWH

**[PROPOSED] ORDER GRANTING  
ORACLE'S MOTION FOR LEAVE TO  
FILE UNDER SEAL PORTIONS OF  
THE APPENDICES TO THE PARTIES'  
JOINT LETTER TO THE COURT RE:  
ORACLE'S PROPOSED MOTION TO  
COMPEL**

20 **[PROPOSED] ORDER**

21 Pending before this Court is Defendants and Counterclaimants Oracle America, Inc. and  
22 Oracle International Corporation's (collectively "Oracle") Motion to Seal Portions of the  
23 Appendices to the Parties' Joint Letter to the Court re: Oracle's Proposed Motion to Compel  
24 (ECF Nos. 492-1, 492-2). Federal Rule of Civil Procedure 26(c) provides broad discretion for a  
25 trial court to permit sealing of court documents for, inter alia, the protection of "a trade secret or  
26 other confidential research, development, or commercial information." Fed. R. Civ. P. 26(c).  
27 Having considered Oracle's Motion to Seal and for good cause existing:

28 IT IS HEREBY ORDERED THAT: Oracle's Motion to Seal is GRANTED. The Clerk  
of the Court shall file under seal the redacted portions of the Appendices to the Parties' Joint  
Letter to the Court re: Oracle's Proposed Motion to Compel.

DATED: May 15, 2017

By: \_\_\_\_\_

Hon. Carl W. Hoffman  
United States Magistrate Judge

**CERTIFICATE OF SERVICE**

I certify that on May 11, 2017, I electronically transmitted the foregoing:

**ORACLE'S MOTION FOR LEAVE TO FILE UNDER SEAL PORTIONS OF  
THE APPENDICES TO THE PARTIES' JOINT LETTER TO THE COURT RE:  
ORACLE'S PROPOSED MOTION TO COMPEL**

**[PROPOSED] ORDER GRANTING ORACLE'S MOTION FOR LEAVE TO  
FILE UNDER SEAL PORTIONS OF THE APPENDICES TO THE PARTIES'  
JOINT LETTER TO THE COURT RE: ORACLE'S PROPOSED MOTION TO  
COMPEL**

to the Clerk's Office using the CM/ECF System for filing and transmittal of a Notice of  
Electronic Filing to all counsel in this matter; all counsel are CM/ECF registrants.

Dated: May 11, 2017

Morgan, Lewis & Bockius LLP

By: /s/ Thomas S. Hixson  
Thomas S. Hixson

Attorney for Defendants and  
Counterclaimants Oracle America, Inc.  
and Oracle International Corporation